

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA**

**UNITED STATES OF AMERICA,**

**Plaintiff,**

**VS.**

## MARCOS DE LA TORRE,

**Defendant.**

**8:16CR115**

## ORDER

This matter is before the court on the government's Motion to Continue Trial Date [46] and defendant's Objection to Government's Motion to Continue Trial Date [47]. The order setting trial was issued on August 25, 2016. On August 30, 2016, the government contacted the US Marshal regarding the transfer of an inmate in the Bureau of Prisons who the government deems a key witness. On September 1, 2016, the government routed a formal request for the transfer of the witness. The defendant objects to the continuance. The court finds the government requested the witness in a reasonable time, good cause has been shown for the continuance and the speedy trial time should be waived.

**IT IS ORDERED** that the government's motion to continue trial [46] is granted and the defendant's objection [47] is denied as follows:

1. The jury trial now set for September 27, 201 is continued to **October 25, 2016**.
2. The time between today's date and the commencement of trial is deemed excludable time in any computation of time under the requirement of the Speedy Trial Act for the reason that in continuing trial the ends of justice outweigh the best interest of the public and Defendant in a speedy trial and for the reasons set out in the government's motion to continue trial, See 18 U.S.C. § 3161(7)(A).

A party may object to the magistrate judge's order by filing an "Statement of Objections to Magistrate Judge's Order" within 14 days after being served with the order. The objecting party must comply with all requirements of NECrimR 59.2.

**DATED this 6<sup>th</sup> day of September, 2016.**

**BY THE COURT:**

**s/ F.A. Gossett**  
**United States Magistrate Judge**